



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Perricaudet et al. Examiner: S. Priebe
Serial No. 08/397,225 Art Unit: 1632
International Filing Date: 08 July 1994
For: Defective Adenovirus Vectors And Use Thereof In Gene Therapy

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: May 17, 1999
Paula L. Dickey
(Type or print name of person mailing paper)
Paula L. Dickey
(Signature of person mailing paper)

To: Assistant Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner mailed November 20, 1998, finally rejecting claims 31, 32 and 41.

The item(s) below are appropriate:

1. A Petition for Extension of Time to respond to the final rejection up to and including May 20, 1999, is being filed concurrently herewith;
2. The Notice of Appeal fee due is \$300.00;
3. Please charge Deposit Account No. 18-1982 in the amount of \$300.00.
4. Any deficiency or overpayment should be charged or credited to Deposit Account No. 18-1982; and
5. The original and two copies of this transmittal are herewith enclosed.

05/27/1999 HBLANCO 00000031 181982 08397225
02 FC:119 300.00 CH

Dated: May 17, 1999

Rhône-Poulenc Rorer Inc.
P.O. Box 5093, Mailstop #3C43
Collegeville, PA 19426-0997
Telephone: (610) 454-3883
Facsimile: (610) 454-3808

Respectfully submitted,

Ross J. Oehler
Ross J. Oehler
Attorney for Applicants
Registration No. 33,270